

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Letters Patent Appeal No.283/2007

In

Writ Petition No.1556/1997 (Decided)

[Shankarrao s/o Nagoji Mugal through L.Rs. .vrs. Chaturbhuj s/o
Shyamji Parekh through Lrs.]

.....
 Office Notes, Office Memoranda of
 Coram, appearances, Court's orders
 of directions and Registrar's orders

Court's or Judge's order

.....
 Mr. S.R. Deshpande, Advocate for the appellants,
 Mr. R.D. Najbile, Advocate for the respondents.

.....
CORAM : K.J. ROHEE AND
R.C. CHAVAN, JJ.

DATED : DECEMBER 04, 2007

1. Heard the learned counsel for the parties.
2. The respondent applied to the Rent Controller for permission to issue quit notice on several grounds. The Rent Controller rejected the application by observing that the respondent failed to make out any of the grounds. The appellate authority, however, allowed the appeal on the ground that the respondent proved his

bona-fide need. The learned Single Judge confirmed the order of the appellate authority. The present letters patent appeal is directed against those orders.

3. The learned counsel for the appellant vehemently urged that the appellate authority did not give any reason for arriving at the conclusion that the respondent has proved his need. The learned counsel for the appellant further submitted that the learned Single Judge has not properly applied his mind to the facts of the case. The learned counsel for the appellant submitted that it has come in evidence that not only the respondent had no finance but the respondent and his son were also serving somewhere. Thus, according to him, bona-fide need has not been established and the application of the landlord/respondent was liable to be rejected.

4. We have perused all the orders. We are not impressed by the submissions made by the learned counsel for the appellant/tenant. We do

not see any merit in the appeal. The same is, therefore, dismissed.

JUDGE

JUDGE

asg